

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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MARY HEINRICH, as Executor of the Estate of Catherine Butler a/k/a Catherine Butler Muzio a/k/a Catherine T. Butler Muzio; MARY HEINRICH, as Trustee for the Catherine Butler Muzio Living Trust; MARY HEINRICH, as Trustee for the Leonard Muzio Living Trust; and MARY HEINRICH, in her individual capacity,

Plaintiffs,

-against-

MALAYENE DEAN, CHARLES YASSIM a/k/a Charles Yassin, MORGAN STANLEY SMITH BARNEY, LLC, HORACE M. BARKER, CITIBANK N.A., and JOHN DOES 1-10,

Defendants.

Case No. 21-cv-10657-VEC

~~PROPOSED~~ ORDER
STAYING ACTION
AGAINST DEFENDANT
CITIBANK, N.A. PENDING
ARBITRATION

Pursuant to the stipulation between Mary Heinrich, as Executor of the Estate of Catherine Butler a/k/a Catherine Butler Muzio a/k/a Catherine T. Butler Muzio, Mary Heinrich, as Trustee for the Catherine Butler Muzio Living Trust, Mary Heinrich, as Trustee for the Leonard Muzio Living Trust, and Mary Heinrich, in her individual capacity (“Plaintiffs”) and Defendant Citibank, N.A. (“Citibank”), and good cause appearing, it is hereby ordered, adjudged and decreed that:

1. Plaintiffs shall submit the claims asserted in this action against Citibank to final and binding arbitration.
2. Plaintiffs’ claims against Citibank in this action are hereby stayed pending the conclusion of the arbitration; and


3. This Court shall retain jurisdiction over this matter pending the conclusion of the arbitration.

The parties must provide a status update every 3 months, with the first update due by **June 17, 2022**. The parties must also notify the Court within two weeks after the termination of the arbitration.

Plaintiffs and Defendants Morgan Stanley Smith Barney, LLC and Horace M. Barker, who have also stipulated to a stay pending arbitration, *see* Dkt. 60, must likewise provide quarterly updates, with the first due by **June 17, 2022**, and must notify the Court within two week after the termination of the arbitration.

IT IS SO ORDERED.

Dated: March 17, 2022


Hon. Valerie E. Caproni
United States District Judge